

Application No. 09/412,738
Amendment "B" dated the 20th day of October, 2003
Reply to Office Action of August 5, 2003

REMARKS

Applicants and Applicants' attorney express appreciation to the Examiner for the courtesies extended during the recent interview held on October 1, 2003. The amendments made by this paper are consistent with the proposals and claim amendments discussed with the Examiner. As indicated above, claims 1, 10, 12, 18-21, 24-25, 27-29, 31-34, 36-39, 40, and 42 have been amended, and claims 2-4, 11, 15, 22-23, 26, and 35 have been canceled. Accordingly, claims 1, 5-10, 12-14, 16, 18-21, 24-25, 27-29, 31-34, and 36-43 remain pending, four of which are independent claims: 1 and 10 are independent method claims and 40 and 42 are independent computer program product claims generally corresponding to independent method claims 1 and 10, respectively.

The Office Action rejected each of the pending independent claims (1, 10, 40, and 42) under 35 U.S.C. § 103(a) as being obvious in view of U.S. Patent No. 6,240,414 to Beizer et al. ("*Beizer*"), and further in view of U.S. Patent No. 6,377,540 to Hogberg et al. ("*Hogberg*"). The Office Action rejected the remaining claims under 35 U.S.C. § 103(a) as being obvious in view of *Beizer* and *Hogberg*, and in some instances, further in view U.S. Patent No. 6,289,410 to Cummins ("*Cummins*") or U.S. Patent No. 5,600,834 to Howard ("*Howard*").¹

Applicants invention, as claimed in independent method claim 10 for example, relates to detecting and resolving a conflict between a client copy of a resource and a server copy of the resource so that the client can upload the client copy of the resource to the server without fear of overwriting any changes made to the server copy of the resource by another client. The server receives a client resource tag from the client that identifies a client version of the client copy of the resource. The server determines whether the client resource tag matches a server resource tag that identifies the server version of the server copy of the resource. Rather than comparing the client copy of the resource to the server version of the resource, whether the client resource tag matches the server resource tag determines if a conflict exists. The method executes a server level of conflict resolution between the client copy of the resource and the server copy of the resource in order to resolve the server copy and client copy of the resource into a single version of the resource.

¹The remarks made in this response are made assuming *arguendo* that *Beizer*, *Hogberg*, *Cummins*, and *Howard* qualify as proper "prior" art, but otherwise should not be interpreted as acquiescing the status of those references qualifying art under section 102. Applicants specifically reserve the right to challenge *Beizer*, *Hogberg*, *Cummins*, and/or *Howard* as proper references should such become desirable or necessary.

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Beizer discloses automatically resolving data conflicts in a shared data environment. To do so, *Beizer* compares a local updating or edited file to a master data file. This process is described in detail with respect to Figure 3a, in that when "a local edited WorkFolder 58 is saved, it can be compared to the local original copy 54 to determine what changes were made by the user and also compared to the mater copy 52, which may itself have been changed by a second user in the interim." Col. 5, l. 65 – col. 6, l. 3. *Beizer* continues by explaining that a "reconciliation program compares the version of the most recently saved local copy 54 to the mater version of the WorkFolder 52 on the server." Col. 6, ll. 6-9. Then, if "none of the detected changes to the WorkFolder are in actual conflict with any changes to the master copy 52 introduced by other parties, i.e., the change arc made to different data elements within the WorkFolder, the reconciliation logic merges the new version into the version on the server and the save succeeds." Col. 6, ll. 9-16.

However, a data element on the local copy 54 that differs from the master copy 52 indicates that another user has changed that element and updated the master copy 52 sometime after the prescnt local copy 54 was created. Col. 7, ll. 48-52; Figure 3b. This situation represents a true conflict which is resolved by mediation (block 72 in Figure 3d). Col. 7, ll. 52-54. If the result of the mediation is that the user decides to override the value in the master copy (block 74), then the updated value is applied to the master copy (block 70) and the next field is examined. Col. 7, ll. 54-57. Otherwise, the updated value is dropped from the WorkFolder and the present value in the master copy 52 remains unchanged. Col. 7, ll. 58-60.

Note that while *Beizer* uses the word "version," there is no indication from the passages cited in the Office Action and discussed above that *Beizer* compares anything other than the entire WorkFolder. Accordingly, among other things, *Beizer* fails to determine that a conflict exists if a client resource tag does not match a server resource tag. Rather, as indicated above, *Beizer* teaches comparing a client copy of a resource to the server copy of the resource to determine if a conflict exists. The Examiner concurred with this position by noting in the Interview Summary that the proposed amendments appear to overcome the rejections of record, although noting that a further search will be performed upon receiving the formal response.

For at least the foregoing reasons, Applicants respectfully submit that the cited prior art does not anticipate or make obvious Applicants invention as claimed in the pending independent

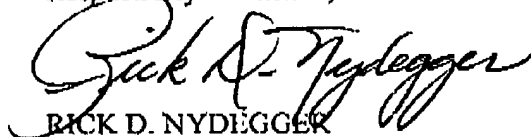
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claims (1, 10, 40, and 42). Applicants thus request favorable reconsideration of the pending claims.²

In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 20th day of October, 2003.

Respectfully submitted,



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² Applicants note for the record that amendments have been made to the dependent claims to adjust claim dependencies and promote consistent use of claim terminology or claim type, and therefore these amendments do not narrow the scope of the claims or otherwise evince an intent to surrender subject matter. Applicants also note for the record that the foregoing remarks render the rejections of record moot for the dependent claims, and thus there is no need to challenge any assertions made in the Office Action with respect to the teachings of the cited art as applied to the dependent claims, but reserve the right to do so in the future if necessary or desirable.